



Order Filed on August 8, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

MELLINGER KARTZMAN LLC
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Attorneys for Steven P. Kartzman, Chapter 7 Trustee

In re:

NICHOLAS PEZZA,

Debtors.

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

Case No.: 16-33371 (RG)

Chapter 7

Honorable Rosemary Gambardella

CONSENT ORDER RESOLVING CLAIM FOR TURNOVER
OF PROPERTY OF THE ESTATE TO THE TRUSTEE
PURSUANT TO 11 U.S.C. § 542(a)

The relief set forth on the following pages, numbered two (2) through four (4), is hereby
ORDERED.

DATED: August 8, 2024

A handwritten signature in cursive script, reading "Rosemary Gambardella", is written over a horizontal line.
Honorable Rosemary Gambardella
United States Bankruptcy Judge

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Debtor: Nicholas Pezza
Case No.: 16-33371 (RG)
Caption: Consent Order Resolving Claim for Turnover of Property of the Estate to the Trustee Pursuant to 11 U.S.C. § 542(a)

THIS MATTER having been brought before the Court by Steven P. Kartzman, the Chapter 7 Trustee (the "Trustee"), by and through his attorneys Mellinger Kartzman LLC, on application for entry of a Consent Order in lieu of motion resolving claim for turnover of property of the estate to the Trustee Pursuant to 11 U.S.C. § 542(a), and the Trustee and the debtor, Nicholas Pezza (the "Debtor"), having agreed to amicably resolve the issues on the terms set forth herein, as appears from the signatures of counsel affixed hereto, it is hereby

ORDERED AS FOLLOWS:

1. The Debtor shall pay to the Trustee the sum of \$7,000.00 (the "Settlement Amount"), in order to redeem the non-exempt equity in the Debtor's interest in the property located at Lot 45, Block 18, Royal Highlands, Unit No. 1, Hernando County, Florida (the "Property"), as follows:

- a. \$1,000 per month beginning on August 1, 2024, and on the first of each month thereafter, for a total of seven (7) months (the "Settlement Payments").

2. To the extent that the Debtor fails to pay any of the required Settlement Payments, the Trustee shall file a certification of default with the Court on notice to the Debtor. Should the Debtor fail to cure the default within ten (10) days of the filing of a certification of default, the Court shall:

- a. Enter a non-dischargeable judgment against the Debtor in an amount 1.5 times the Settlement Amount, less payments made to the Trustee (the "Judgment"); and
- b. Enter an order compelling the Debtor to cooperate with the listing and sale of the Property, the proceeds of which shall be applied against the Judgment.

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3. Once the Trustee receives the Settlement Amount, or if applicable, the Judgment amount and costs, the Trustee shall file a Notice of Abandonment as to the Property.

4. The parties hereto shall execute any and all documents and pleadings reasonably necessary to implement all of the foregoing provisions.

5. The terms of this Consent Order are subject to the Court's approval and the issuance of a Notice of Settlement (the "Notice") and the following:

- (a) If no objection to the Notice is filed, the issuance and docketing of a Certification of No Objection by the Clerk of the Bankruptcy Court; or
- (b) If any objection to the Notice is filed, the overruling of any such objection by this Court.

In the event that an objection to the settlement is filed and sustained, the parties shall be restored to their pre-settlement positions.

6. The parties, and anyone who succeeds to their rights and responsibilities hereunder, including their successors and/or assigns, are bound by this Consent Order. This Consent Order is made for the benefit of the parties and all who succeed to their rights and responsibilities.

7. The Bankruptcy Court shall retain exclusive jurisdiction to adjudicate all matters arising under or in connection with this Consent Order.

*The undersigned hereby consent to
the form and entry of the within Order:*

MELLINGER KARTZMAN LLC
Attorneys for Trustee

DONALD TROY BONOMO
Attorneys for Nicholas Pezza

By: 
JUDAH B. LOEWENSTEIN, ESQ.

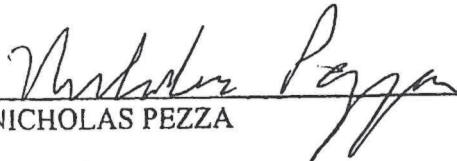
By: 
DONALD T. BONOMO, ESQ.

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Dated: July ~~30~~ 2024

Dated: July 27 2024

NICHOLAS PEZZA

By: 
NICHOLAS PEZZA

Dated: July 27 2024